

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

COMPUWARE CORPORATION,  
a Michigan Corporation,

Case No. 04-73749

Plaintiff/  
Counterclaim Defendant,

District Judge Anna Diggs Taylor

Magistrate Judge R. Steven Whalen

v.

OPNET TECHNOLOGIES, INC.,  
a Delaware Corporation,

Defendant/  
Counterclaim Plaintiff.

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**ORDER DISMISSING DEFENDANT'S MOTION  
FOR PROTECTIVE ORDER**

Before the Court is Defendant's motion for protective order to preclude Plaintiff's Rule 30(b)(6) deposition [Docket #43]. This motion involves the same issues raised in Plaintiff's motion to compel Rule 30(b)(6) deposition [Docket #42]. However, on September 22, 2005, the Court entered an order dismissing the Plaintiff's motion to compel Rule 30(b)(6) deposition without prejudice, based on Plaintiff's unopposed motion to dismiss, rendering the present motion moot. Accordingly,

IT IS ORDERED that Defendant's motion for protective order [Docket #43] is DISMISSED AS MOOT.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: November 4, 2005

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on November 4, 2005.

S/Gina Wilson  
Judicial Assistant